

VZCZCXRO5634  
OO RUEHCHI RUEHDT RUEHHM  
DE RUEHHI #2434 2640954  
ZNR UUUUU ZZH  
O 210954Z SEP 06  
FM AMEMBASSY HANOI  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3486  
INFO RUEHHM/AMCONSUL HO CHI MINH 1862  
RUEHXS/ASEAN REGIONAL FORUM COLLECTIVE

UNCLAS HANOI 002434

SIPDIS

SENSITIVE  
SIPDIS

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [VM](#) [SOCI](#)

SUBJECT: First-Ever National Assembly Donors Forum on the Gender Equality Draft Law in Vietnam

1. (U) Summary: On September 15, 2006, the National Assembly held its first-ever forum to meet with foreign donors and international agency representatives to discuss how to improve the current draft Gender Equality Law. The participants agreed that, with gender inequality a serious problem in Vietnam, the time is ripe for this legislation. The participants further agreed that the National Assembly would likely need to create a new State agency to effectively implement the law. Although the forum allowed for a wide-ranging discussion of the draft legislation's flaws, the many suggestions given by the donor community will not make it into the law in time for its submission at the upcoming National Assembly session. However, the suggestions may be incorporated into the law's implementing decree. End Summary.

2. (U) On September 15, 2006, the National Assembly (NA) held its first-ever forum to discuss the current draft Gender Equality Law. The forum drew approximately 40 participants from the NA and the international donor community, including: Ton Nu Thi Ninh, Vice-Chairwoman, NA Committee for Foreign Affairs; Tran Thi Minh Chanh, Vice-Chairwoman NA Committee for Social Affairs; Mr. Luong Phan Cu, Vice-Chairman, NA Committee for Social Affairs; Mr. Nguyen Si Dung, Office of National Assembly Vice-Chairman; John Hendra, UNDP Country Representative; the Ambassadors from Canada, Singapore, Thailand, Sweden and Switzerland; gender equality specialists from Sri Lanka; and, approximately 30 outside participants. Vice-Chairwoman Chanh began the meeting by noting that feudal practices still exist in Vietnam, and they prevent women from participating in all spheres of life.

3. (SBU) In discussing the legislation, the NA members noted that:

- women continue to receive 15-20 percent lower income than men;
- there continue to be concerns regarding how Vietnam's existing legal framework can support this law;
- the legislation does not provide specific measures to increase women's participation in politics. (Note: Women account for 27 percent of the NA, 11.29 percent of ministerial and equivalent positions, 12.85 percent of vice ministerial and equivalent positions and 12 out of 160 members of the Party's Central Committee. End Note);
- the difference in retirement age between men and women remains an issue of contention, since currently women in Vietnam must retire five years earlier than their male counterparts;
- and, it remains to be determined which government ministry will take the lead on this law, or whether a new State agency should be created.

4. (SBU) John Hendra of UNDP stated that, should it enact a gender equality law, Vietnam would be the 34th country in the world and the fifth in Asia to do so. That said, he also noted that the law in its current draft form needed several revisions:

- the law should include provisions on the rights of women and the government's responsibility to protect these rights;

-- the law needs a clear implementation provision, including naming responsible agencies and benchmarks;  
-- the definition of non-discrimination should be made clear;  
-- and, the law should include a transparent set of sanctions for those who violate the law.

15. (SBU) A World Bank representative further noted that a survey of the labor force would be useful to monitor and improve gender equality. On the subject of the law's implementation, practically everyone who spoke at the forum agreed that the NA would need to create a new State agency to effectively implement the law. Several participants also spoke out regarding the need for improved definitions in the law, including definitions of intended and unintended discrimination. The issue of retirement appeared to be one of the most important issues, particularly among the Vietnamese participants, but everyone agreed that the retirement age should be equal for men and women. Furthermore, by establishing a pension plan, both men and women would be able to choose their own retirement age.

16. (SBU) Madam Ninh admitted that passing this law would be a big step for the NA because there are several male members of the NA that are suspicious about the law and hesitant to change traditional ways. She said she hopes to introduce the law to the NA on September 17 and pass it at the NA's session in November. Therefore, many of the suggestions made at the donor forum would not be incorporated into the law because of time constraints. However, the useful suggestions could be added later to the implementing decree. Establishing a new national agency on gender equality would be most valuable, but, unless it is headed by a strong national-level executive, it will be useless, she predicted.

ALOISI